

1 JUDGE FRANKLIN D. BURGESS
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

8 UNITED STATES OF AMERICA,) NO. CR06-5758FDB
9 Plaintiff,)
10 vs.) ORDER GRANTING STIPULATED
11 KRISTOPHER BRYAN,) MOTION TO CONTINUE TRIAL
12 Defendant.) DATE
13 _____)

14 Based on the stipulated motion of the parties to continue the trial date, and the
15 affidavit of defense counsel in support of the motion, the Court makes the following
16 findings of fact and conclusions of law:

17 1. The ends of justice served by granting this continuance outweigh the best
18 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

19 2. Proceeding to trial absent adequate time for the defense to prepare would
20 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(I).

21 3. The defense needs additional time to explore issues of some complexity,
22 including all relevant issues and defenses applicable to the case, which would make it
23 unreasonable to expect adequate preparation for pretrial proceedings or for trial itself
24 within the time limits established by the Speedy Trial Act and currently set for this case.
25 18 U.S.C. § 3161(h)(8)(B(ii)).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation his defense. 18
3 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from March 12, 2007
6 to June 4, 2007. The resulting period of delay from March 12, 2007, up to and including
7 the new trial date of June 4, 2007, is hereby excluded for speedy trial purposes under 18
8 U.S.C. § 3161(h)(8)(A) and (B).

9 Pre-trial motions are due no later than March 14, 2007.

10 DONE this 9th day of February, 2007.

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JUDGE FRANKLIN D. BURGESS

UNITED STATES DISTRICT JUDGE

18 Presented By:

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/s/ _____

/s/ _____

Colin A. Fieman

Tate London

Attorney for Defendant

Assistant United States Attorney